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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/433,761	11/04/1999	JOHN A. RUSHING	UMB-LITES	2970
42811	7590	09/07/2005	EXAMINER	
KAJANE MCMANUS MCMANUS AND ASSOCIATES 1505 ASHLEY COURT WOODSTOCK, IL 60098			TON, ANABEL	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/433,761	Applicant(s) RUSHING, JOHN A.	
	Examiner Anabel M. Ton	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-10 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 6-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-3 are objected to because of the following informalities: In claim 1 applicant first recites " a main power cord incorporating a plurality of identical minimally spaced apart miniature lights extending from the power cord" the follows with "each of the light strings" there is no antecedent basis in the claim for "each of the light strings"; applicant also recites " a main power cord" in the preamble of the claim and then proceeds to recite "power supply cord". It is recommended that applicant remain consistent with the terminology used to describe the power cord when referring back to it in the body of the claim. In claim 2 applicant recites "the arrangement of claim 1 wherein the string of lights are" there is no antecedent basis for "the string of lights" in claim 1. In claim 3 applicant recites "the arrangement of claim 1 wherein the lights on each string" there is no antecedent basis for "the lights on each string" in claim 1. Appropriate correction is required.

2. As best understood the following rejection applies.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Pan (5,967,644).

3. Pan discloses a diffuse lighting arrangement comprising a main power cord (fig 2) having a plug at one end (although Pan does not specifically disclose a plug at one end of the main power cord, references have been provided to support that a plug at the end of a main power cord of a light string is an inherent property of a light string), thereof and incorporating a plurality of identical minimally spaced apart miniature lights (12) extending from the power cord, each of the light strings being electrically connected to the power supply cord in parallel (col. 1 lines 21-29 , lines 44-53 and col. 2 lines 12-17). The light strings are substantially identical in length (fig 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pan as applied to claim 1 above, and further in view of Adler.

6. Pan discloses the claimed invention except for the recitation of each light string electrically connected in series. Adler teaches a light string arrangement with a main

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power cord having a plug at one end and incorporating a plurality of miniature lights to a light string extending from the power cord the light strings being electrically connected in series (col. 2 lines 31-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to connect the light strings of Pan in series as well since connection of the light strings in series would be desirable since a series connection would provide the light string with the ability to use bulbs of a lower voltage, since connecting them in series would divide the voltage provided among the bulbs. Also, series connection would create a lighting assembly that emits less heat and is cost effective since the bulbs require less of a voltage to function.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pan as applied to claim 1 above, and further in view of Lehmann et al.

8. Pan discloses the claimed invention except for the recitation of the power supply cord including a circuit protection device. Lehman teaches a power supply cord including a circuit protection device (col. 1, lines 15-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a circuit protection device on the device of Pan since as taught by Lehman a circuit protection device is desired for use in a light string arrangement to render the light string safe in the event of an electrical malfunction.

Allowable Subject Matter

9. Claim 10 is allowed.

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10. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


11. The following is a statement of reasons for the indication of allowable subject matter: The reasons for the indication of allowable subject matter can be found in the previous office actions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton
Examiner
Art Unit 2875



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

AMT